

## **REMARKS**

The Office Action mailed August 11, 2006 has been received and the Examiner's comments carefully reviewed. Claims 1, 2, and 9 have been amended. Claims 10-14 have been added. No new subject matter has been added. Claims 1-14 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

### **Rejections Under 35 U.S.C. §112**

Claim 9 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Examiner stated that the term "may" in claim 9 renders the claim indefinite. Claim 9 has been amended to delete the term "may" and further clarify that particular limitation of the visual indicator. Support for the amendment to claim 9 regarding this clarification is found in the specification, for example, on page 9 at lines 1-2. In light of the clarifying amendment, Applicants respectfully request withdrawal of this rejection.

### **Rejections Under 35 U.S.C. §102**

Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by Fukumori et al. (U.S. Patent 6,808,666). Applicants respectfully traverse this rejection, but have amended claims 1, 2 and 9 to advance this application to allowance. Support for the amendments to claims 1, 2 and 9 is found in the specification, for example, on page 8, paragraph 0025; and in FIGS. 2 and 3. Applicants reserve the right to pursue the original subject matter via a continuing application.

Each of independent claims 1, 2 and 9 has been amended to recite that the visual indicia means/visual indicator is coated with a clear laminate layer.

Fukumori discloses a bag having a zipper tape produced by extruding male and female strips 102, 104 onto a wide base film 120. A remark 105 can be printed by a cylinder 121 on the base tape 120. Fukumori does not disclose that the remark 105 is coated by a clear laminate layer. At least for this reason, Applicants respectfully submit that claims 1-9 are patentable.

### New Claims 10-14

New claim 10-13 depend upon claim 9. Support for new claims 10 and 11 is found in the specification, for example, on page 9 at lines 1-2. Support for new claim 12 is found in the specification, for example, on page 8, paragraph 0025.. Support for new claim 13 is found in the specification on page 6, paragraph 0021; and in FIG. 5. At least for the reasons discussed with regards to claim 9, it is respectfully submitted that dependent claim 10-13 are patentable.

New claim 14 recites subject matter similar to that of claim 9 and claim 13. It is respectfully submitted that none of the cited art discloses a container having a visual indicator located only along the first and second locking members of a reclosable sealing device. Fukumori, for example, discloses remarks 105 that are provided on an inside surface above the male and female strips 102, 104; the remarks 105 are not provided on an outer surface and not confined or located only along the male and female strips. At least for this reason, Applicants respectfully submit that claim 14 is patentable.

### SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-14) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

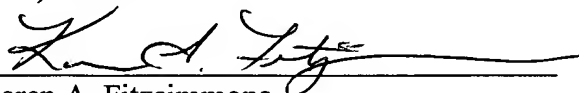
Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.

Respectfully submitted,



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